



Image # AF

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	Kay et al.	Examiner:	Sheikh, Humera N.
Serial No.:	10/017,478	Art Unit:	1615
Confirm. No:	5212	Docket:	1040-3
Filed:	December 14, 2001	Dated:	February 11, 2004
For:	MAGNESIUM PLUS INTERACTIVE AGENT DELIVERY		

Mail Stop Amendment (Fee)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify this correspondence is being deposited with the United States Postal Service as first-class mail, postpaid in an envelope, addressed to: Mail Stop Amendment (Fee), Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 11, 2004.

Signature: Kathleen A. Landin

NOTICE OF APPEAL

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed November 12, 2003, finally rejecting Claims 1-18.

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 CFR 1.17(b), the fee for filing the Notice of Appeal for other than a small entity is \$330.00.

3. EXTENSION OF TERM

Applicant is filing this Notice of Appeal within three months of the date of mailing (November 12, 2003) of the Final Office Action and, therefore, an extension of term is not required.

4. TOTAL FEE DUE

The Notice of Appeal fee is \$ 330.00.

5. FEE PAYMENT

Attached is a check in the sum of \$ 330.00.

6. FEE DEFICIENCY

If any additional extension and/or fee is required or any overpayment has been made, please charge our Deposit Account No. 08-2461 or credit our Deposit Account for such sum. A duplicate of this transmittal is attached.

Respectfully submitted,

A handwritten signature in black ink, reading "Kevin E. McDermott", with a long horizontal flourish extending to the right.

Kevin E. McDermott
Registration No.: 35,946
Attorney for Applicant

HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, New York 11791
(516) 822-3550